

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**In re: Methyl Tertiary Butyl Ether
("MTBE") Products Liability Litigation**

**Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88**

This document relates to:

**Redwood Center Ltd. Partnership v.
Chevron Corporation, et al.,
No. 09 Civ. 3739**

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION
TO VOLUNTARILY DISMISS CASE
PURSUANT TO F.R.C.P. 41(a)(2)**

Having reviewed Plaintiff's Unopposed Motion to Voluntarily Dismiss Case Pursuant to F.R.C.P. 41(a)(2), and good cause appearing, it is hereby ORDERED that:

- (1) Plaintiff Redwood Center Ltd. Partnership's claims for Private Continuing Nuisance and Public Continuing Nuisance against Defendant Chevron Corporation, Defendant Chevron U.S.A. Inc., and Defendant Chevron Environmental Management Company are hereby dismissed *without* prejudice;
- (2) Plaintiff Redwood Center Ltd. Partnership's claims for Private Permanent Nuisance, Public Permanent Nuisance, Negligence, Negligence Per Se, Trespass and Strict Liability against Defendant Chevron Corporation, Defendant Chevron U.S.A. Inc., and Defendant Chevron Environmental Management Company are hereby dismissed *with* prejudice; and
- (3) Should Plaintiff Redwood Center Ltd. Partnership re-file this action, renewing its

claims against Defendants Chevron Corporation, Chevron U.S.A. Inc., and Chevron Environmental Management Company for the alleged, *inter alia*, MTBE contamination on Plaintiff's property, the parties shall within two weeks agree on a Scheduling Order identifying certain fact and expert discovery deadlines.

SO ORDERED.

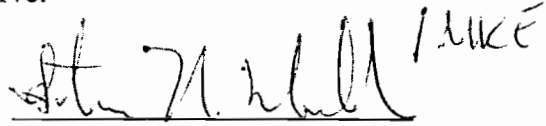
DATED: April 30, 2010



Hon. Shira A. Scheindlin, U.S.D.J.

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2010, a true and correct copy of the foregoing document was served on all counsel via LexisNexis File & Serve.

A handwritten signature in black ink, appearing to read "Steven N. Williams", with a horizontal line underneath. To the right of the signature, the word "FILE" is written in a stylized, handwritten font.

Steven N. Williams